### y for the designated Office (DO/US)

### PATENT COOPERATION TREATY

	From th	e INTERNATIONAL B	UREAU
PCT	To:		
NOTIFICATION OF THE RECORDING OF A CHANGE  (PCT Rule 92bis.1 and Administrative Instructions, Section 422)  Date of mailing (day/month/year)	Urqu Alex Alex Swa	ES, Gregory, Mark hart-Dykes & Lord andra House andra Road nsea SA1 5ED AUME-UNI	
24 July 2001 (24.07.01)	L	~~~	
Applicant's or agent's file reference P79666WO		IMPORTANT NOT	IFICATION
International application No. PCT/GB00/02171		nal filing date (day/month/y une 2000 (05.06.00)	ear)
The following indications appeared on record concerning:      The following indications appeared on record concerning:     The following indications appeared on record concerning:     The following indications appeared on record concerning:     The following indications appeared on record concerning:     The following indications appeared on record concerning:	the ager	the comm	on representative
Name and Address SLS PHOTONICS LIMITED		State of Nationality GB	State of Residence GB
Units 1 & 2 Heol Rhosyn Parc Dafen Industrial Estate Llanelli, Carmarthenshire SA14 8QG		Telephone No.	
United Kingdom		Facsimile No.	
		Teleprinter No.	
The International Bureau hereby notifies the applicant that to the person      The International Bureau hereby notifies the applicant that to the additional bureau hereby notifies the applicant that to the person in the p	ſ	change has been recorded the nationality	concerning: the residence
Name and Address		State of Nationality	State of Residence
ICN PHOTONICS LIMITED		GB	GB
Units 1 & 2 Heol Rhosyn Parc Dafen Industrial Estate Llanelli		Telephone No.	
Carmarthenshire SA14 8QG United Kingdom		Facsimile No.	
		Teleprinter No.	<u> </u>
3. Further observations, if necessary:			
4. A copy of this notification has been sent to:			
X the receiving Office	[	X the designated Offices	concerned
the International Searching Authority	[	the elected Offices cor	ncerned
X the International Preliminary Examining Authority		other:	
The International Pursons - (MIDO	Authorized	officer	
The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland		HA Ki-Nam	
Facsimile No.: (41-22) 740.14.35	Telephone	No.: (41-22) 338.83.38	

# PA NT COOPERATION TREAT

### From the INTERNATIONAL BUREAU

### **PCT**

### **NOTIFICATION OF ELECTION**

(PCT Rule 61.2)

Commissioner **US Department of Commerce** United States Patent and Trademark Office, PCT 2011 South Clark Place Room

CP2/5C24

Arlington, VA 22202 ETATS-UNIS D'AMERIQUE

Og February 2001 (09.02.01)	in its capacity as elected Office		
International application No.	Applicant's or agent's file reference		
PCT/GB00/02171	P79666WO		
International filing date (day/month/year)	Priority date (day/month/year)		
05 June 2000 (05.06.00)	04 June 1999 (04.06.99)		
Applicant			
KIERNAN, Michael, Noel et al			

1.	The designated Office is hereby notified of its election made:
	X in the demand filed with the International Preliminary Examining Authority on:
	04 January 2001 (04.01.01)
	in a notice effecting later election filed with the International Bureau on:
2.	The election X was
	was not
	made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland

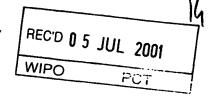
**Authorized officer** 

Olivia TEFY

Telephone No.: (41-22) 338.83.38

Facsimile No.: (41-22) 740.14.35

### **PCT**



### INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

CA-million in	N- El	<del></del>			
Applicant's or a P79666WO	gent's file reference	FOR FURTHER A	CTION		ation of Transmittal of International Examination Report (Form PCT/IPEA/416)
International ap	plication No.	International filing date (day/month/year) Priority date (day/month/year)			
PCT/GB00/0		05/06/2000	•	, ,	04/06/1999
International Pa A61N5/06	atent Classification (IPC) or nat	I tional classification and IP	С		
Applicant SLS BIOPHI	te LIMITED et al.	CN Photo	mics	Lim	ited.
	national preliminary exami nsmitted to the applicant a		prepared	by this Inter	rnational Preliminary Examining Authority
2. This REP	ORT consists of a total of	6 sheets, including this	s cover sl	neet.	
been (see	This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT). These annexes consist of a total of sheets.				
3. This repor	rt contains indications relat	ing to the following iter	ns:		
ı 🛭	I ⊠ Basis of the report				
# □	II Priority				
	III   Non-establishment of opinion with regard to novelty, inventive step and industrial applicability			and industrial applicability	
IV 🗆	Lack of unity of invention	n			•
<b>∨</b> ⊠	V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations suporting such statement			ntive step or industrial applicability;	
VI 🗆	Certain documents cited	d			
VII ⊠	Certain defects in the int	ternational application			
VIII   Certain observations on the international application					
Date of submissi	ion of the demand		Date of c	ompletion of the	his report
				p.000011 01 u	

03.07.2001

Held, G

Authorized officer

Telephone No. +49 89 2399 2248



Name and mailing address of the international

European Patent Office D-80298 Munich

Tel. +49 89 2399 - 0 Tx: 523656 epmu d

preliminary examining authority:

04/01/2001



International application No. PCT/GB00/02171

### I. Basis of the report

	the and	receiving Office in	response to an invitation under Article 14 are referred to in this report as "originally filed" to this report since they do not contain amendments (Rules 70.16 and 70.17)):
	1-1	0	as originally filed
	Cla	aims, No.:	
	1-2	27	as originally filed
	Dra	awings, sheets:	
	1/2	-2/2	as originally filed
2.			guage, all the elements marked above were available or furnished to this Authority in the international application was filed, unless otherwise indicated under this item.
	The	ese elements were	available or furnished to this Authority in the following language: , which is:
		the language of a	translation furnished for the purposes of the international search (under Rule 23.1(b)).
		the language of pu	ublication of the international application (under Rule 48.3(b)).
		the language of a 55.2 and/or 55.3).	translation furnished for the purposes of international preliminary examination (under Rule
3.			eleotide and/or amino acid sequence disclosed in the international application, the y examination was carried out on the basis of the sequence listing:
		contained in the in	ternational application in written form.
		filed together with	the international application in computer readable form.
		furnished subsequ	ently to this Authority in written form.
		furnished subsequ	ently to this Authority in computer readable form.
			t the subsequently furnished written sequence listing does not go beyond the disclosure in pplication as filed has been furnished.
		The statement tha listing has been fu	t the information recorded in computer readable form is identical to the written sequence mished.
4.	The	amendments have	resulted in the cancellation of:
		the description,	pages:
		the claims,	Nos.:



International application No. PCT/GB00/02171

		the drawings,	sheets:	
5.			established as if (some of) the amendments had not been made, since they have bee and the disclosure as filed (Rule 70.2(c)):	n
		(Any replacement sh report.)	et containing such amendments must be referred to under item 1 and annexed to this	;
6.	Add	litional observations, it	necessary:	
III.	Non	n-establishment of op	nion with regard to novelty, inventive step and industrial applicability	
	The	questions whether the	claimed invention appears to be novel, to involve an inventive step (to be non- lly applicable have not been examined in respect of:	
		the entire internationa	application.	
	×	claims Nos. 1 - 20.		
be	caus	e:		
			pplication, or the said claims Nos. relate to the following subject matter which does onal preliminary examination ( <i>specify</i> ):	
			or drawings (indicate particular elements below) or said claims Nos. are so unclear nion could be formed (specify):	
		the claims, or said cla	ns Nos. are so inadequately supported by the description that no meaningful opinion	
	×	no international searc	report has been established for the said claims Nos. 1 - 20.	
2.	and/		oreliminary examination cannot be carried out due to the failure of the nucleotide e listing to comply with the standard provided for in Annex C of the Administrative	
		the written form has n	t been furnished or does not comply with the standard.	
		the computer readable	form has not been furnished or does not comply with the standard.	
	citat		er Article 35(2) with regard to novelty, inventive step or industrial applicability; s supporting such statement	
	Nove	elty (N)	Yes: Claims	



International application No. PCT/GB00/02171

No: Claims 21 - 27

Inventive step (IS) Yes: Claims

No: Claims 21 - 27

Industrial applicability (IA) Yes: Claims 21 - 26

No: Claims 27

2. Citations and explanations see separate sheet

### VII. Certain defects in the international application

The following defects in the form or contents of the international application have been noted: see separate sheet

#### 1. Re Item V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

Reference is made to the following document:

D1: WO-A-98/24 512

1.1 The document D1 discloses (the references in parentheses applying to this document):

An apparatus for use in stimulating collagen containing structures comprising a source of illuminating radiation and means for directing the illuminating radiation to a target site (Fig. 3 and page 5, paragraph 4).

Document D1 discloses all features of the subject-matter of independent claim 21. Thus, claim 21 does not fulfill the requirements of Article 33(2) PCT.

1.2 Dependent claims 22 - 26 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty, the reasons being as follows:

claim 22

The document D1 discloses focussing means (page 8, lines 10 - 15) and an emitter portion through which the radiation is emitted (Fig 3).

claims 23, 24

The means for directing the illuminating radiation are manually as well as automatically controllable (page 5, paragraph 4).

claim 25

The additional feature is anticipated by document D1 which shows a pulsed radiation wherein the pulse duration is 200 µs to 1 ms (page 6, paragraph 6).

claim 26

Scanning means are disclosed in document D1 (Fig. 3 and page 8, lines 10 - 16).

**EXAMINATION REPORT - SEPARATE SHEET** 

1.3 Claim 27 defines a beam of illuminating radiation. Such a beam is not a matter but rather a physical effect which does not comprise the features immanent to a device or an apparatus. Thus, the subject-matter of claim 27 is not applicable in the sense of Article 33(4) PCT. Moreover, the subject-matter of claim 27 is not novel (Article 33(2) PCT) as the features of said beam are disclosed in document D1 (page 6, last paragraph).

#### 2. Re Item VII

### Certain defects in the international application

- 2.1 Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in the document D1 should have been mentioned in the description.
- 2.2 The independent claim 21 should have been drafted in the two-part form in accordance with Rule 6.3(b) PCT, which in the present case would have been appropriate, with those features known in combination from the prior art (document D1) being placed in the preamble (Rule 6.3(b)(i) PCT) and with the remaining features being included in the characterising part (Rule 6.3(b)(ii) PCT).
- 2.3 The features of the claims should have been provided with reference signs placed in parentheses (Rule 6.2(b) PCT).

## A. CLASSIFICATION OF SUBJECT MATTER IPC 7 A61N5/06

According to International Patent Classification (IPC) or to both national classification and IPC

### B. FIELDS SEARCHED

Documentation searched other than minimum documentation to the extent that such documents are included in the tields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

#### EPO-Internal

C. DOCUMENTS CONSIDERED TO BE RELEVANT						
Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.				
Х	WO 98 38933 A (NEW STAR LASERS INC) 11 September 1998 (1998-09-11) page 8, line 16 -page 10, line 31	21-23,25				
X	US 5 810 801 A (MCMILLAN KATHLEEN ET AL) 22 September 1998 (1998-09-22) column 4, line 43 - line 63 column 5, line 41 - line 45	21-24,27				
X	WO 98 24512 A (CLEMENT ROBERT MARC; GEORGE DAVID SIMON (GB); JONES GARY LEWIS (GB) 11 June 1998 (1998-06-11) page 5, paragraph 4 page 6, paragraph 6 page 8, paragraph 2	21-27				

X Further documents are listed in the continuation of box C.	Patent family members are listed in annex.
<ul> <li>Special categories of cited documents:</li> <li>"A" document defining the general state of the art which is not considered to be of particular relevance</li> <li>"E" earlier document but published on or after the international filling date</li> <li>"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)</li> <li>"O" document referring to an oral disclosure, use, exhibition or other means</li> <li>"P" document published prior to the international filling date but later than the priority date claimed</li> </ul>	<ul> <li>T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention.</li> <li>"X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone.</li> <li>"Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.</li> <li>"&amp;* document member of the same patent family</li> </ul>
Date of the actual completion of the international search  15 September 2000	Date of mailing of the international search report  22/09/2000
Name and mailing address of the ISA  European Patent Office, P.B. 5818 Patentlaan 2  NL - 2280 HV Rijswijk  Tel. (+31-70) 340-2040, Tx. 31 651 epo nl.  Fax: (+31-70) 340-3016	Authonzed officer  Petter, E

Interi nai Application No PCT/GB 00/02171

	CUMENTS CONSIDERED TO BE RELEVANT	
ategory ° Citation o	of document, with indication, where appropriate, of the relevant passages	Relevant to daim No.
19 col	0 763 371 A (ESC MEDICAL SYSTEMS LTD) March 1997 (1997-03-19) lumn 2, line 52 - line 59 lumn 4, line 30 - line 39	21-23,25
23	5 196 005 A (NARCISO JR HUGH L ET AL) March 1993 (1993-03-23) stract	21,22
10	42 12 393 A (MORITA MFG) December 1992 (1992-12-10) stract	21,22

2



Interr nar Application No PCT/GB 00/02171

'Patent document cited in search report		Publication date		atent family nember(s)	Publication date
WO 9838933	Α	11-09-1998	AU	2580897 A	22-09-1998
US 5810801	A	22-09-1998	EP WO	1011811 A 9833558 A	28-06-2000 06-08-1998
WO 9824512	Α	11-06-1998	AU	5402798 A	29-06-1998
EP 0763371	A	19-03-1997	US AU CA JP	5964749 A 6431096 A 2185196 A 9103507 A	12-10-1999 20-03-1997 16-03-1997 22-04-1997
US 5196005	Α	23-03-1993	US	5330465 A	19-07-1994
DE 4212393	Α	10-12-1992	NONE		



(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference	FOR FURTHER see Notification of Transmittal of International Search Report				
P79666W0	ACTION (Form PCT/ISA/220) as well as, where applicable, item 5 below.				
International application No.	International filing date (day/month/year)	(Earliest) Priority Date (day/month/year)			
PCT/GB 00/02171	05/06/2000	04/06/1999			
Applicant					
SLS BIOPHILE LIMITED et a	1.				
This International Search Report has been according to Article 18. A copy is being tra	n prepared by this International Searching Auth ansmitted to the International Bureau.	nority and is transmitted to the applicant			
This International Search Report consists  It is also accompanied by	of a total of sheets. a copy of each prior art document cited in this	report.			
Basis of the report					
With regard to the language, the language in which it was filed, unl	international search was carried out on the bas ess otherwise indicated under this item.	sis of the international application in the			
the international search w Authority (Rule 23.1(b)).	as carried out on the basis of a translation of th	ne international application furnished to this			
was carried out on the basis of the	d/or amino acid sequence disclosed in the intended sequence listing:  onal application in written form.	ternational application, the international search			
	··	1			
filed together with the international application in computer readable form.  furnished subsequently to this Authority in written form.					
furnished subsequently to this Authority in computer readble form.					
the statement that the sub international application a	osequently furnished written sequence listing do s filed has been furnished.	oes not go beyond the disclosure in the			
the statement that the info furnished	ormation recorded in computer readable form is	identical to the written sequence listing has been			
2. X Certain claims were four	nd unsearchable (See Box I).				
3. Unity of invention is lact	king (see Box II).				
4. With regard to the title,					
the text is approved as su					
· · · · · · · · · · · · · · · · · · ·	hed by this Authority to read as follows:				
11330E REDUVENATION BY	/ ILLUMINATING RADIATION	•			
5. With regard to the abstract,					
the text is approved as su the text has been establish within one month from the	bmitted by the applicant. hed, according to Rule 38.2(b), by this Authority date of mailing of this international search repo	y as it appears in Box III. The applicant may, ort, submit comments to this Authority.			
6. The figure of the drawings to be publi	shed with the abstract is Figure No.	1			
as suggested by the applic	cant.	None of the figures.			
because the applicant faile	• •	·			
because this figure better	characterizes the invention.				

A. CLASSIFICATION OF SUBJECT MATTER IPC 7 A61N5/06 According to International Patent Classification (IPC) or to both national classification and IPC **B. FIELDS SEARCHED** Minimum documentation searched (classification system followed by classification symbols) IPC 7 A61N Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched Electronic data base consulted during the international search (name of data base and, where practical, search terms used) EPO-Internal C. DOCUMENTS CONSIDERED TO BE RELEVANT Litation of document, with indication, where appropriate, of the relevant passages Relevant to claim No. Χ WO 98 38933 A (NEW STAR LASERS INC) 21-23,25 11 September 1998 (1998-09-11) page 8, line 16 -page 10, line 31 US 5 810 801 A (MCMILLAN KATHLEEN ET AL) X 21-24,2722 September 1998 (1998-09-22) column 4, line 43 - line 63 column 5, line 41 - line 45 X WO 98 24512 A (CLEMENT ROBERT MARC ; GEORGE 21-27 DAVID SIMON (GB); JONES GARY LEWIS (GB) 11 June 1998 (1998-06-11) page 5, paragraph 4 page 6, paragraph 6 page 8, paragraph 2 Further documents are listed in the continuation of box C. X Patent family members are listed in annex. Special categories of cited documents: "T" later document published after the international filing date or priority date and not in conflict with the application but "A" document defining the general state of the art which is not cited to understand the principle or theory underlying the considered to be of particular relevance earlier document but published on or after the international "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to filing date "L" document which may throw doubts on priority claim(s) or involve an inventive step when the document is taken alone which is cited to establish the publication date of another citation or other special reason (as specified) "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such docudocument referring to an oral disclosure, use, exhibition or other means ments, such combination being obvious to a person skilled in the art. "P" document published prior to the international filing date but later than the priority date claimed "&" document member of the same patent family Date of the actual completion of the international search Date of mailing of the international search report 15 September 2000 22/09/2000 Name and mailing address of the ISA Authorized officer European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk

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Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016

Petter, E



O (O - Al	
C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT	
Category ° Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	21-23,25
X US 5 196 005 A (NARCISO JR HUGH L ET AL) 23 March 1993 (1993-03-23) abstract	21,22
DE 42 12 393 A (MORITA MFG) 10 December 1992 (1992-12-10) abstract	21,22
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	7.

Inform

on patent family members

Internal Application No PC 17 GB 00/02171

Patent document cited in search repor	t	Publication date		atent family nember(s)	Publication date
WO 9838933	Α	11-09-1998	AU	2580897 A	22-09-1998
US 5810801	Α	22-09-1998	EP WO	1011811 A 9833558 A	28-06-2000 06-08-1998
WO 9824512	Α	11-06-1998	AU	5402798 A	29-06-1998
EP 0763371	Α	19-03-1997	US AU CA JP	5964749 A 6431096 A 2185196 A 9103507 A	12-10-1999 20-03-1997 16-03-1997 22-04-1997
US 5196005	Α	23-03-1993	US	5330465 A	19-07-1994
DE 4212393	Α	10-12-1992	NONE		



## **PCT**

### INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference		See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)				
P79666W						
	application No.	International filing date (day/month/year)	Priority date (day/month/year) 04/06/1999			
PCT/GB0		05/06/2000	04/06/1999			
International A61N5/06		r national classification and IPC				
AG HVS/UC						
Applicant						
SLS BIOF	HILE LIMITED et al.					
1. This ir and is	ternational preliminary ex transmitted to the applica	amination report has been prepared by the nt according to Article 36.	is International Preliminary Examining Authority			
2. This R	EPORT consists of a tota	l of 6 sheets, including this cover sheet.	•			
be	en amended and are the	nied by ANNEXES, i.e. sheets of the desc basis for this report and/or sheets contain n 607 of the Administrative Instructions ur	cription, claims and/or drawings which have ning rectifications made before this Authority nder the PCT).			
These	annexes consist of a total	al of sheets.				
111000						
		·				
3. This re	eport contains indications	relating to the following items:				
ı	☑ Basis of the report	•				
ı. II	☐ Priority					
til		of opinion with regard to novelty, inventive	e step and industrial applicability			
IV	☐ Lack of unity of inve					
٧	☑ Reasoned statement  ■ Reasoned statem		ty, inventive step or industrial applicability;			
VI	☐ Certain documents	cited	•			
VII	☐ Certain defects in t	he international application	•			
VIII	☐ Certain observation	ns on the international application				
Date of sub	mission of the demand	Date of comple	etion of this report			
04/01/20	01	03.07.2001				
	mailing address of the interna examining authority:	ational Authorized offi	icer State S			
<u></u>	European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 52	Held, G				
	Fax: +49 89 2399 - 4465		+49 89 2399 2248			

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/GB00/02171

I.	Basis	of the	report
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1.	the r	receiving Office in I	nents of the international application (Replacement sheets which have been furnished to response to an invitation under Article 14 are referred to in this report as "originally filed" this report since they do not contain amendments (Rules 70.16 and 70.17)):
	1-10		as originally filed
	Clai	ms, No.:	
	1-27	,	as originally filed
	Drav	wings, sheets:	·
	1/2-	2/2	as originally filed
2.	With lang	regard to the language in which the	juage, all the elements marked above were available or furnished to this Authority in the international application was filed, unless otherwise indicated under this item.
	The	se elements were a	available or furnished to this Authority in the following language: , which is:
		the language of a	translation furnished for the purposes of the international search (under Rule 23.1(b)).
			ublication of the international application (under Rule 48.3(b)).
		the language of a 55.2 and/or 55.3).	translation furnished for the purposes of international preliminary examination (under Rule
3.	With inte	n regard to any <b>nu</b> o rnational prelimina	cleotide and/or amino acid sequence disclosed in the international application, the ry examination was carried out on the basis of the sequence listing:
		contained in the ir	nternational application in written form.
		filed together with	the international application in computer readable form.
		furnished subsequ	uently to this Authority in written form.
			uently to this Authority in computer readable form.
		the international a	at the subsequently furnished written sequence listing does not go beyond the disclosure in application as filed has been furnished.
		The statement that listing has been for	at the information recorded in computer readable form is identical to the written sequence urnished.
4.	The	amendments hav	e resulted in the cancellation of:
		the description,	pages:
		the claims,	Nos.:

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/GB00/02171

		the drawings,	sheets:			
5.		This report has been considered to go beyon	established and the disc	as if (some of) the ame losure as filed (Rule 70	endments had not been ma 0.2(c)):	de, since they have been
		(Any replacement shoreport.)	eet containi	ng such amendments n	nust be referred to under its	em 1 and annexed to this
6.	Adc	litional observations, if	necessary:			
III.	Noi	n-establishment of or	oinion with	regard to novelty, inv	rentive step and industria	l applicability
	The	auestions whether th	e claimed ir		novel, to involve an inventiv	
		the entire international				
	☒	claims Nos. 1 - 20.				
be	cau	se:				
		the said international not require an interna	application ational preli	or the said claims Nos ninary examination ( <i>sp</i>	s. relate to the following sul	bject matter which does
		the description, clain that no meaningful o	s or drawin pinion could	gs ( <i>indicate particular d</i> be formed ( <i>specify</i> ):	elements below) or said cla	ims Nos. are so unclear
		the claims, or said cl could be formed.	aims Nos.	are so inadequately su	pported by the description t	hat no meaningful opinior
	$\boxtimes$	no international sear	ch report ha	s been established for	the said claims Nos. 1 - 20	).
2.	ane	neaningful internationa d/or amino acid seque tructions:	al preliminar nce listing to	y examination cannot be comply with the stand	pe carried out due to the fail lard provided for in Annex C	lure of the nucleotide C of the Administrative
		the written form has	not been fu	rnished or does not cor	mply with the standard.	
		the computer readal	ole form has	not been furnished or	does not comply with the st	tandard.
٧	. Re	easoned statement un ations and explanation	nder Article ons suppo	35(2) with regard to thing such statement	novelty, inventive step or	industrial applicability;
1.	. Sta	atement				
	No	ovelty (N)	Yes:	Claims		

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/GB00/02171

No:

Claims 21 - 27

Inventive step (IS)

Yes: Claims

No:

Claims 21 - 27

Industrial applicability (IA)

Yes:

Claims 21 - 26

No:

Claims 27

2. Citations and explanations see separate sheet

VII. Certain defects in the international application

The following defects in the form or contents of the international application have been noted: see separate sheet

#### 1. Re Item V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

Reference is made to the following document:

D1: WO-A-98/24 512

1.1 The document D1 discloses (the references in parentheses applying to this document):

An apparatus for use in stimulating collagen containing structures comprising a source of illuminating radiation and means for directing the illuminating radiation to a target site (Fig. 3 and page 5, paragraph 4).

Document D1 discloses all features of the subject-matter of independent claim 21. Thus, claim 21 does not fulfill the requirements of Article 33(2) PCT.

1.2 Dependent claims 22 - 26 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty, the reasons being as follows:

#### claim 22

The document D1 discloses focussing means (page 8, lines 10 - 15) and an emitter portion through which the radiation is emitted (Fig 3).

### claims 23, 24

The means for directing the illuminating radiation are manually as well as automatically controllable (page 5, paragraph 4).

#### claim 25

The additional feature is anticipated by document D1 which shows a pulsed radiation wherein the pulse duration is 200  $\mu s$  to 1 ms (page 6, paragraph 6).

### claim 26

Scanning means are disclosed in document D1 (Fig. 3 and page 8, lines 10 - 16).

# INTERNATIONAL PRELIMINARY InterEXAMINATION REPORT - SEPARATE SHEET

International application No. PCT/GB00/02171

1.3 Claim 27 defines a beam of illuminating radiation. Such a beam is not a matter but rather a physical effect which does not comprise the features immanent to a device or an apparatus. Thus, the subject-matter of claim 27 is not applicable in the sense of Article 33(4) PCT. Moreover, the subject-matter of claim 27 is not novel (Article 33(2) PCT) as the features of said beam are disclosed in document D1 (page 6, last paragraph).

### 2. Re Item VII

### Certain defects in the international application

- 2.1 Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in the document D1 should have been mentioned in the description.
- 2.2 The independent claim 21 should have been drafted in the two-part form in accordance with Rule 6.3(b) PCT, which in the present case would have been appropriate, with those features known in combination from the prior art (document D1) being placed in the preamble (Rule 6.3(b)(i) PCT) and with the remaining features being included in the characterising part (Rule 6.3(b)(ii) PCT).
- 2.3 The features of the claims should have been provided with reference signs placed in parentheses (Rule 6.2(b) PCT).

#### SEARCH REPORT INTERNATIO

Inten 🔍 plication No PCT/GB 00/02171

# A. CLASSIFICATION OF SUBJECT MATTER IPC 7 A61N5/06

According to International Patent Classification (IPC) or to both national classification and IPC

### B. FIELDS SEARCHED

 $\begin{array}{ll} \mbox{Minimum documentation searched (classification system followed by classification symbols)} \\ \mbox{IPC 7} & \mbox{A61N} & \mbox{A61B} \end{array}$ 

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

### EPO-Internal

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to daim No.
Х	WO 98 38933 A (NEW STAR LASERS INC) 11 September 1998 (1998-09-11) page 8, line 16 -page 10, line 31	21-23,25
X	US 5 810 801 A (MCMILLAN KATHLEEN ET AL) 22 September 1998 (1998-09-22) column 4, line 43 - line 63 column 5, line 41 - line 45	21-24,27
X	WO 98 24512 A (CLEMENT ROBERT MARC ;GEORGE DAVID SIMON (GB); JONES GARY LEWIS (GB) 11 June 1998 (1998-06-11) page 5, paragraph 4 page 6, paragraph 6 page 8, paragraph 2  -/	21-27

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X Further documents are listed in the continuation of box C.	Patent family members are listed in annex.
* Special categories of cited documents:  'A' document defining the general state of the art which is not considered to be of particular relevance  'E' earlier document but published on or after the international filing date  'L' document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)  'O' document referring to an oral disclosure, use, exhibition or other means  'P' document published prior to the international filing date but later than the priority date claimed	To later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention.  "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone.  "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.  "&" document member of the same patent family
Date of the actual completion of the international search	Date of mailing of the international search report
15 September 2000	22/09/2000
Name and mailing address of the ISA  European Patent Office, P.B. 5818 Patentiaan 2  NL – 2280 HV Rijswijk  Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016	Authorized officer  Petter, E

inten nal Application No PCT/GB 00/02171

A DOLLAR ON THE PROPERTY OF THE PARTY OF THE	PC1/GB 00/021/1
Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT  egory   Citation of document, with indication where appropriate, of the relevant passa	ages Relevant to claim No.
EP 0 763 371 A (ESC MEDICAL SYSTEMS LT 19 March 1997 (1997-03-19) column 2, line 52 - line 59 column 4, line 30 - line 39	21-23,29
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DE 42 12 393 A (MORITA MFG) 10 December 1992 (1992-12-10) abstract	21,22
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#### INTERNATIO

### SEARCH REPORT

Interr has application No PCT/GB 00/02171

Patent document cited in search repor	t	Publication date		atent family nember(s)	Publication date
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WO 9824512	A	11-06-1998	AU	5402798 A	29-06-1998
EP 0763371	Α	19-03-1997	US AU CA JP	5964749 A 6431096 A 2185196 A 9103507 A	12-10-1999 20-03-1997 16-03-1997 22-04-1997
US 5196005	Α	23-03-1993	US	5330465 A	19-07-1994
DE 4212393	Α	10-12-1992	NONE		

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บลง	CUHART-DYKES & LORD	То:			
	NOTIFICATION OF THE RECORDING OF A CHANGE	Urqu	IES, Gregory, Mark Ihart-Dykes & Lord	OFFICE DIARY	7
	(PCT Rule 92bis.1 and Administrative Instructions, Section 422)	Alex Swa	andra House andra Road nsea SA1 5ED AUME-UNI	COMUS	U
	Date of mailing (day/month/year) 24 July 2001 (24.07.01)		Nome of		
	Applicant's or agent's file reference P79666WO		IMPORTANT NO	TIFICATION	
	International application No. PCT/GB00/02171		onal filing date (day/month/ lune 2000 (05.06.00)	year)	
	The following indications appeared on record concerning:      X the applicant	the agei	nt the comm	non representative	
	Name and Address  SLS PHOTONICS LIMITED  Units 1 & 2 Heol Rhosyn  Parc Dafen Industrial Estate		State of Nationality GB Telephone No.	State of Residence GB	
	Llanelli, Carmarthenshire SA14 8QG United Kingdom	Facsimile No.		.,,,	
			Teleprinter No.		
	The International Bureau hereby notifies the applicant that the person      The person      The International Bureau hereby notifies the applicant that the additional bureau hereby notifies the applicant that the applicant that the additional bureau hereby notifies the addi	1	change has been recorde the nationality	d concerning: the residence	
, ar	Name and Address ICN PHOTONICS LIMITED	<u> </u>	State of Nationality  GB	State of Residence GB	
	Units 1 & 2 Heol Rhosyn Parc Dafen Industrial Estate Llanelli Carmarthenshire SA14 8QG		Telephone No.		
	United Kingdom		Teleprinter No.		
	3. Further observations, if necessary:				
	4. A copy of this notification has been sent to:		,	an annormal	
	the International Searching Authority		the elected Offices of		
	X the International Preliminary Examining Authority		other:		
	The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized	d officer HA Ki-Nam	1	

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